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August 10, 2005

RECEIVED

AUG 10 2005

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
445 12th Street, SW, Room 8B201
Washington, DC 20554

Federal Communications Commission
Office of Secretary

Re: Cox Communications, Inc. and Its Affiliates
WC Docket No. 05-196
Subscriber Notification Report

Dear Ms. Dortch:

I am writing this letter on behalf of our client Cox Communications, Inc. and its affiliates (collectively "Cox"), to provide a subscriber notification and acknowledgment status pursuant to the Commission's July 26, 2005 Public Notice (the "Notice") in the above-referenced proceeding. Cox's affiliates provide switched telephone service to more than 1.4 million residential subscribers and 450,000 commercial locations across eleven states, using a mix of circuit switched and Internet Protocol technologies, and Cox's affiliates are certificated as local exchange carriers in each of those states. Cox's voice over IP reliability is engineered to the same standard as Cox and other carriers' circuit-switched services. Cox always has provided its subscribers with access to E911 (in areas where E911 is available) for both circuit switched and Internet Protocol telephone services, and its Internet Protocol telephone service already complies with the substantive requirements of the new rules. In that context, Cox provides the following information:

1. *Actions Cox has taken to notify subscribers of circumstances in which E911 service might not be available*

Subsequent to the issuance of the VoIP E911 Order,¹ Cox developed new informational materials for its subscribers concerning Cox's implementation of E911 for those subscribers served via voice over IP technologies, consistent with the requirements of the rules adopted in the VoIP E911 Order.

¹ *IP-Enabled Services and E911 Requirements for IP-Enabled Service Providers*, First Report and Order and Notice of Proposed Rulemaking, 2005 WL 1323217, FCC, (rel. Jun 3, 2005) (VoIP E911 Order).

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Following the development of those materials, Cox implemented a separate notification process for all residential and business telephone subscribers being served via voice over IP technologies. (The overwhelming majority of Cox's telephone subscribers receive service via circuit-switched technology.) Cox identified those subscribers as of July 19, 2005, and extracted their contact information from customer records. Each Cox voice over IP subscriber was sent a letter providing information on E911 service on July 28, 2005. Each letter included a postage-paid business reply postcard acknowledging receipt and understanding of the letter for the subscriber to sign and a warning label to be placed on or near the customer's CPE.

On Thursday, August 4, 2005, Cox began sending email to each residential voice over IP subscriber who also purchases Internet access from Cox and from whom Cox had not received an acknowledgment. The email provided the subscriber with information on E911 service and provided an opportunity to send an electronic acknowledgment. Subscribers who received the initial email and had not returned an acknowledgment were sent a second email message (with an opportunity to acknowledge) on Tuesday, August 9, 2005.

Beginning on Tuesday, August 9, 2005, Cox began calling all residential voice over IP subscribers from whom Cox had not yet received an acknowledgment, using an automated dialer. Upon answering the phone, the subscriber receives an automated message providing information on E911 service, with options to acknowledge receipt of the message, to hear the message again or to speak to a live customer service representative. The automated call is repeated up to three times daily until the customer acknowledges it.

If any Cox residential voice over IP subscriber who has not provided an acknowledgment visits a Cox customer service location, the customer service staff will provide that customer with E911 information and ask the customer to sign a written acknowledgment.

Residential and commercial subscribers who purchased service between July 19 and August 2 have been identified and sent a letter similar to the letter sent to subscribers who purchased service before July 19. (Although customers who subscribed after July 29 were required to provide acknowledgment at the time they subscribed, as described below, Cox used the August 2 date for this notice to ensure that it did not inadvertently omit any subscribers.) These letters include the same sticker and business reply card provided to subscribers who purchased service prior to July 19. If an acknowledgment was not received by Cox, it followed the protocol described for subscribers who first purchased service prior to July 19, as described above.

In addition to the methods discussed above for commercial subscribers, Cox is using a variety of other methods to contact each commercial subscriber who has not otherwise provided acknowledgement. These methods include in-person visits, using Cox's outbound call center to follow up with subscribers (re-providing the information letter if necessary, discussing the letter with the subscriber, and obtaining the subscriber's faxed signature) and

automated dialing with automated messages, similar to those provided to residential subscribers.

Subscribers who purchased service after July 29 are required to provide acknowledgment before service will be activated. Residential subscribers who sign up in person are provided with information by the customer service representative and must check a separate box on Cox's existing letter of agency acknowledging that they have received the information. Residential subscribers who purchase service online are provided with text providing information on E911 and must check a box on the web site acknowledging receipt and understanding of the information. Residential subscribers who purchase service by phone are provided with information by the person who takes the order, and the subscriber acknowledges receipt and understanding of the information during the third party verification process. Cox is using the same outside vendor for third party verification that it uses for PIC changes. In each case, the transaction is not permitted to proceed unless the customer provides the acknowledgment. Commercial subscribers all sign a contract, which now contains the E911 information. In addition, Cox has incorporated information concerning E911 into its standard work order and its marketing materials, and is developing additional materials for its welcome kit.

2. *Quantification of subscribers that have returned acknowledgments and estimate of percentage of subscribers from whom acknowledgments will not be received by August 29*

Cox has received acknowledgments from [REDACTED] of its subscribers as of August 10.

Absent circumstances beyond its reasonable control, Cox expects that the actions outlined in this letter will result in receipt of acknowledgements from 100% of its subscribers by August 29.

3. *Description of whether and how Cox has provided warning stickers to subscribers*

As described above, Cox has provided warning stickers to subscribers who first purchased service through August 2, 2005 in the letters containing the notification information and the acknowledgment postcard. For subscribers who first purchased service on or after July 30, 2005, a sticker is attached to the telephone modem.

4. *The percentage of subscribers who have not received notices and/or stickers*

All Cox voice over IP subscribers have been provided with a notice and a sticker.

5. *Actions Cox will take towards subscribers who do not return acknowledgments*

As described above, Cox has initiated a multi-step program to obtain acknowledgments, with email, telephone and in-person contacts following the initial letter. In addition, on Friday, August 19, a registered letter will be sent to each Cox residential and business voice over IP

subscriber who has not provided an acknowledgment. The letter will include both a postage-paid acknowledgment and a phone number for the customer to call. This will ensure that all Cox voice over IP subscribers have received the required information, even if they do not respond to Cox's request for acknowledgment.

Cox intends to work diligently to provide notice to and obtain acknowledgment from all subscribers who have not yet acknowledged receipt of the information concerning E911 service. Cox may use methods in addition to those described here to ensure that subscribers are informed and acknowledgment is obtained, potentially including using the soft disconnect process that Cox uses when a subscriber has not paid Cox's bill. Subscribers who would be subject to a soft disconnect would be able to make calls to 911, but all other calls would be diverted to an interactive voice response system or a live call center representative until Cox obtains an acknowledgment.

6. *How Cox is maintaining customer acknowledgments*

Acknowledgments received by mail are being maintained by Cox's fulfillment vendor, which also will scan each acknowledgment and keep it electronically. The information will be transferred to each subscriber's service order record, and Cox will be able to retrieve electronic copies when needed.

Acknowledgments received through a signed letter of agency will be maintained in the same way as the letter of agency by the local system that serves the subscriber. Letters of agency are maintained either in hard copy or electronically as scanned documents.

Acknowledgments received through the third party verification process will be maintained in the same way as other third-party verifications. The verifier will keep a copy of the recording and make it available to Cox upon request. This is the same process Cox uses for PIC changes.

Acknowledgments received online will be maintained in an electronic database using a process similar to that used when subscribers purchase service online.

7. *Contact information for the person at Cox responsible for compliance with the VoIP E911 Order*

James Hatcher
Senior Vice President/General Counsel
Cox Communications, Inc.
1400 Lake Hearn Drive
Atlanta, Georgia 30319

As noted above, this notice is being submitted in accordance with the Commission's Notice. Submission of this notice, however, does not concede the applicability of the VoIP E911

Marlene H. Dortch, Esq.

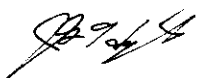
August 10, 2005

Page 5

Order to Cox's voice over IP service. The rules adopted in the VoIP E911 order apply only to those services that fall within the definition of "interconnected VoIP service," which requires that the service be offered via a broadband connection. Cox's voice over IP service does not require subscribers to purchase or use a separate broadband connection to obtain telephone service and in fact uses the same kind of local network facilities used by Cox's circuit-switched service, which are comparable to the networks of other circuit-switched service providers. As Cox has described in other contexts, Cox's voice over IP service has provided access to 911 and E911 functionalities since the day it was introduced, including direct trunks to the E911 selective router and E911 database updates in accordance with standard telephone industry practice. Cox also notes that its voice over IP service is not offered as a nomadic service, but instead is an address-based service not intended to permit customer mobility.

Please inform me if any questions should arise in connection with this letter.

Respectfully submitted,



J.G. Harrington

Counsel to Cox Communications, Inc.

JGH/vll

cc: Byron McCoy
Kathy Berthot
Janice Myles
Best Copy and Printing (redacted version only)

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